

R E M A R K S

The claims as presented in Applicant's previous Amendment, which was not entered, were stated to be unpatentable in view of the disclosure of the cited Kido references. As amended in this Preliminary Amendment, however, all of the pending Claims 1-9 are believed to be allowable.

In particular, the claimed invention of this application notifies a partner side that a both-side transmission of the image data read from both sides of an original is to be executed, and transmits all of the image data read from both sides of the original, according to a both-side transmitting mode, if discriminating means determines that at least one sheet of an original in which effective image data is included on both sides exists. That is, when at least one sheet of an original in which effective image data is included on both sides exists, all of the image data read from the both sides of the original are transmitted, according to a both-side transmitting mode, even if no effective image data is included on both sides of another original sheet.

On the other hand, when a transmission is executed by changing-over between a both-side transmitting mode and a one-side transmitting mode, a receiver side can recognize which of a both-side recording and a one-side recording is performed, according to a type of the transmitting mode, and can record image data in the same order of front and back pages as that of the original at a transmitter side. In this case, if it is effected that all the image data is transmitted in the both-side transmitting mode, the order of pages at the receiver side is not coincident with that at the transmitter side and thus the receiver side cannot record image data in the same order of front and back pages as that of the original at the transmitter side. Accordingly, the present invention specifies that all the

image data read from both sides of the original are transmitted according to the both-side transmitting mode.

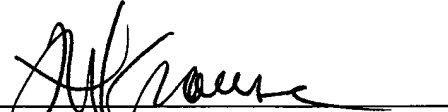
In the facsimile device of the cited Kido references, a both-sided original is read for each side, but only a one-side transmitting mode (or protocol) is used. Further, in the Kido reference, a print mode is predetermined by a set part 10 (see step S17 in Fig. 2b) and both-side printing or one side printing is decided according to the thus set print mode (see S18 in the same drawing) at a reception part. That is, in the Kido reference, a both-side transmitting mode (or protocol) is not employed, so that unlike the present invention, the reception part cannot recognize which of a both-side recording and a one-side recording is performed, according to a type of a transmitting mode.

Furthermore, in the Kido reference, since any page that does not include effective image data therein is not transmitted, it may occur that not all pages that have been read for transmission are transmitted by a transmission part. Accordingly, even when both-side recording is executed at the reception part, image data cannot be recorded in the same order of front and back pages as that of the both sided original at the transmitter part. As a result, the Kido reference cannot provide the above-mentioned advantages of the present invention, wherein when transmission is executed by changing-over between the both-side transmitting mode and the one-side transmitting mode, a receiver side can recognize which of a both-side recording and a one-side recording is to be performed, according to a type of the transmitting mode, and can record image data in the same order of front and back pages as that of the original at the transmitter side.

For these various reasons the issuance of a Notice of Allowance is solicited.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our new address given below.

Respectfully submitted,



Attorney for Applicant

John A. Krause

Registration No. 24,613

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 538910v1